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RESOLUTION NO. 2020-62

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, APPROVING A SECOND EXTENSION TO THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND CALVIN, GIORDANO & ASSOCIATES, INC., FOR THE PROVISION OF BUILDING PLAN REVIEW AND INSPECTION SERVICES AND MUNICIPAL PLANNING DEPARTMENT SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, on August 7, 2018, the Village of Biscayne Park ("Village") and Calvin, Giordano & Associates, Inc. ("CGA") entered into a professional services agreement ("Agreement"), whereby CGA provides the Village with building plan review and inspections services and municipal planning department services ("Services"); and

WHEREAS, the Agreement was for a one (1) year term, with four (4) one-year renewal terms at the Village's discretion; and

WHEREAS, the Village and CGA entered into a First Amendment to the Agreement, exercising its first option to renew for a one-year renewal term from September 1, 2019 through August 31, 2020 ("First Amendment"); and

WHEREAS, on August 13, 2020, the Village and CGA extended that First Amendment to the Agreement for an additional ninety (90) days through November 13, 2020 ("First Extension to the First Amendment"); and

WHEREAS, the Village and CGA desire to extend that First Amendment to the Agreement for an additional seventy-nine (79) days through January 31, 2021. A copy of the Second Extension to the First Amendment is attached and incorporated herein as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct, and incorporated herein by this reference and are hereby adopted as the legislative and administrative findings of the Village Commission.

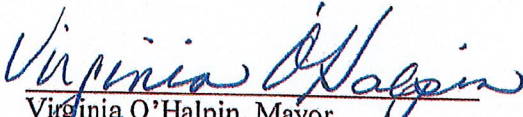
Section 2. Second Extension to First Amendment. The Second Extension to the First Amendment to the Agreement between the Village and CGA for the provision of the Services as attached and incorporated herein as Exhibit "A" is approved and the Village Manager is authorized to execute the Second Extension to the First Amendment and expend budgeted funds on behalf of the Village.

1 **Section 3. Severability.** If any section, sentence, clause or phrase herein is held to be invalid
2 by any court of competent jurisdiction, then said holding shall in no way affect the validity of the
3 remaining portions of this Resolution.
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5 **Section 4. Effective Date.** This Resolution shall become effective immediately upon its
6 adoption.
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10 PASSED AND ADOPTED this 17th day of November, 2020.
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12 The foregoing resolution upon being
13 put to a vote, the vote was as follows:
14

15 
16 Virginia O'Halpin, Mayor
17
18 Attest:
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20 Mayor O'Halpin: YES
21 Vice Mayor Kennedy: YES
22 Commissioner Gonzalez: YES
23 Commissioner Hamelburg: YES
24 Commissioner Samaria: YES
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28 Roseann Prado, Village Clerk
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30 Approved as to form:
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33 Edward A. Dion, Village Attorney
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**AMENDMENT ONE SECOND EXTENSION
AGREEMENT BUILDING PLAN REVIEW AND INSPECTION SERVICES
AND/OR MUNICIPAL PLANNING DEPARTMENT SERVICES
BETWEEN THE VILLAGE OF BISCAYNE PARK
AND CALVIN, GIORDANO & ASSOCIATES, INC.**

The Second Extension to the First Amendment is made and effective the 14th day of November 2020, by and between the Village of Biscayne Park (Municipality) and Calvin, Giordano & Associates, Inc. (Consultant). Municipality and Consultant shall be jointly referred to as the "Parties".

RECITALS AND REPRESENTATIONS

WHEREAS, the Parties entered into an Agreement for Building Plan Review and Inspection Services and/or Municipal Planning Department Services (Agreement), by which the Parties established the terms and conditions for service delivery for the period of September 1, 2018 through August 31, 2019; and

WHEREAS, the Parties agree that entering into this Amendment to the Agreement is in the mutual best interest of both parties; and

WHEREAS, the Agreement allows for four one-year renewal options; and

WHEREAS, the First Amendment was executed retroactively effective September 1, 2019 through August 31, 2020; and

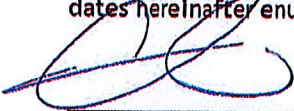
WHEREAS, on August 13, 2020, the First Amendment was extended through November 13, 2020

NOW, THEREFORE, in consideration of the mutual promises set forth herein, it is agreed by and between the Village and Consultant as follows:

1. The Agreement is hereby extended for seventy-nine (79) days effective November 14, 2020 through January 31, 2021.

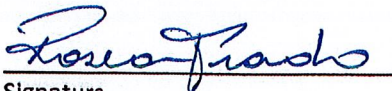
The original Agreement, Exhibits and terms shall remain in effect, to the extent not modified by previous or this Amendment.

IN WITNESS HEREOF, the undersigned have caused this Amendment to be executed in their respective names on the dates hereinafter enumerated.



Chris Giordano, Vice President
Calvin, Giordano & Associates, Inc.

11/19/2020
Date



Signature
Village of Biscayne Park

11/19/2020
Date

Roseann Prado - Interim Village Manager
Name & Title